

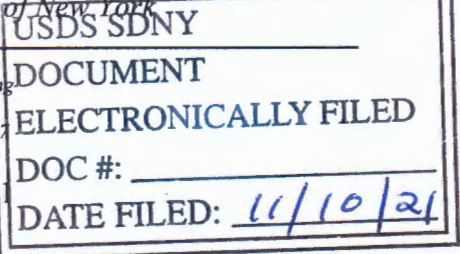


U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

November 8, 2021

**BY ECF**

The Honorable Kimba M. Wood
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Nurridin Witcher*, 20 Cr. 116 (KMW)

Dear Judge Wood:

The Government respectfully writes to request that the Court set a control date approximately 30 days from today's date in the above-captioned matter, and prospectively exclude time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), until the control date.

The defendant filed a motion to dismiss the indictment on September 15, 2021 (the "Motion"), to which the Government responded on September 29, 2021. (See ECF Nos. 57, 59.) On October 6, 2021, the defendant submitted a reply brief by email.¹ Accordingly, the defendant's Motion was fully briefed, and therefore, "under advisement by the court" on October 6, 2021. See 18 U.S.C. §§ 3161(h)(1)(D), (H). Because more than 30 days are needed for proper decision on this complex Motion, the Government requests that time under the Speedy Trial Act be prospectively excluded until the control date set by the Court. The Government submits that the ends of justice served by the granting of such continuance outweigh the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(7)(A). The defendant consents to the request.

A control date for a conference
is scheduled for January 12, 2022,
at 12:00 p.m. Time is excluded,
pursuant to 18 USC 3161(h)(1)(D), (H),
through January 12, 2022.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

by:

M. Slavik
Christy Slavik
Assistant United States Attorneys
(212) 637-1113

cc: Counsel of Record (by ECF)

SO ORDERED: N.Y., N.Y. 11/10/21

¹ The reply brief does not appear on ECF.

Kimba M. Wood
KIMBA M. WOOD
U.S.D.J.